

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRIAN FISCHLER,  
Individually and On Behalf of All Other Persons  
Similarly Situated,

Plaintiff,

- against -

YUTOPIA ENTERTAINMENT, LLC, d/b/a  
Candytopia,

Defendant.

**ORDER**

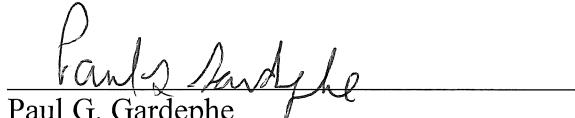
22 Civ. 5252 (PGG) (JLC)

PAUL G. GARDEPHE, U.S.D.J.:

The returned and executed Summons indicates that Defendant was served on October 20, 2022. (Dkt. No. 8) Defendant has not responded to the Complaint in any fashion. Accordingly, Plaintiff will move for default judgment against Defendant in accordance with this Court's Individual Rules of Practice for Civil Cases, no later than **December 12, 2022**. If Plaintiff does not make the necessary submission by that time, this case will be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b).

Dated: New York, New York  
November 21, 2022

SO ORDERED.

  
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Paul G. Gardephe  
United States District Judge